

PRICING AND ADVERTISING OF CONSUMER ITEMS (EXCERPT)
Act 449 of 1976

***** THIS SECTION IS REPEALED BY ACT 15 OF 2011 EFFECTIVE SEPTEMBER 1, 2011 *****

445.360a Section applicable to sale at retail; conditions; conditions to bringing or joining in action; exception.

Sec. 10a. (1) Except as provided in subsection (3), this section applies to a sale at retail which meets all of the following conditions:

- (a) There is a price stamped on or affixed to the item.
- (b) The sale is recorded by an automatic checkout system.
- (c) The buyer is given a receipt which describes the item and states the price charged for the item.

(2) Before bringing or joining in an action as provided in section 10(2), within 30 days after purchasing an item, a buyer who suffers loss because the price charged for the item is more than the price stamped on or affixed to the item shall notify the seller in person or in writing that the price charged is more than the price stamped or affixed. The notice shall include evidence of the loss suffered by the buyer. If, within 2 days after the notification, the seller tenders to the buyer an amount equal to the difference between the price stamped or affixed and the price charged, plus an amount equal to 10 times that difference but which is not less than \$1.00 or more than \$5.00, the buyer is barred from any further recovery for that loss. If the loss is suffered by 1 buyer within 1 transaction on 2 or more identical items, the amount to be tendered by the seller shall be the difference on each item, plus an amount equal to 10 times the difference on a single item but which is not less than \$1.00 and not more than \$5.00. If the seller does not tender this amount, the buyer may bring or join in an action as provided in section 10(2).

(3) This section does not apply to a sale at retail in which the seller intentionally charges more for an item than the price stamped on or affixed to the item.

History: Add. 1984, Act 344, Eff. Mar. 29, 1985.

Popular name: Scanner Law

Popular name: Item Pricing Act